

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA v. NIKEEM LEACH-HILTON, <i>Defendant-Petitioners</i>	CRIMINAL ACTION NO. 22-cr-135-2
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ORDER

AND NOW, this 26th day of September, 2024, after considering pro se Defendant-Petitioner's Motion under 28 U.S.C. §2255 to vacate, set aside, or correct sentence by a person in federal custody, ECF 129, the Government's Response, ECF 133, and Defendant-Petitioner's Reply, ECF 134, and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. Leech-Hilton's motion under 28 U.S.C. §2255 to vacate, set aside, or correct sentence by a person in federal custody (Docket No. 129) is **GRANTED** as follows:
 - a. The motion, insofar as Leech-Hilton argues ineffective assistance of counsel due to defense counsel's failure to file a direct appeal, is **GRANTED**;
 - b. His original judgment of conviction, ECF 109, is **VACATED** as of September 26, 2024.
2. Leech-Hilton's judgment of conviction, ECF 109, is **REINSTATED as to the identical terms** as of September 26, 2024;

3. Attorney McDermott is **DIRECTED** to file a notice appeal on behalf of Mr. Leach-Hilton within **fourteen (14) days** of this order; or, if Mr. Leach-Hilton requests, this Court will appoint new counsel assuming he meets the financial criteria.

4. The clerk of court is directed to **CLOSE** Civil Action No. 24-1382.

BY THE COURT:

s/ Michael M. Baylson

MICHAEL M. BAYLSON
United States District Judge